

## **FUTURE LAND USE - GOALS, OBJECTIVES AND POLICIES**

### **PURPOSE**

The Future Land Use (FLU) Goals, Objectives and Policies implement the Charlotte 2050 Framework. This element focuses on these planning Planning Principles as the underlying standard for the creation of land use policy; the Urban Service Area policies to establish a clearer focus on future neighborhood development in the right place and form; the recognition and introduction of "incentives" as the primary method for achieving the desired land use form; and a focus on economic development. The descriptions of land use categories are separate from the policies of the element and have been placed in FLU Appendix I.

All references to any ordinances, statutes or regulations contained herein shall, unless otherwise noted, be deemed to be those in effect as of the date of adoption of this element and thereafter as amended, renumbered or otherwise revised.

### **GOALS, OBJECTIVES AND POLICIES**

#### **FLU GOAL 1: 2050 FRAMEWORK**

**Implement a land use and development framework based upon Smart Growth Principles that will:**

- **Preserve and protect natural resources.**
- **Preserve and support agricultural uses.**
- **Protect and enhance residential neighborhoods.**
- **Promote a compact, efficient, and environmentally sensitive pattern of development**
- **Promote economic development.**
- **Discourage urban sprawl pursuant to Section 163.3177 Florida Statutes (F.S.) (2015).**
- **Encourage and support energy efficient land use forms.**
- **Ensure adequate services and facilities to serve new and existing development.**
- **Protect private property rights.**

#### **FLU Objective 1.1: Planning Strategy Implementation**

To create a planning framework and implementation strategy that will enhance the livability of Charlotte County; preserve or enhance its natural, cultural, and physical resources; discourage urban sprawl pursuant to Section 163.3177 F.S. (2015); promote sustainable and energy-efficient land use patterns.

#### **FLU Policy 1.1.1: Planning Principles**

These Planning Principles shall guide the creation of land use policy and development regulations within Charlotte County and shall be implemented

through the policies contained in this Charlotte 2050 Comprehensive Plan (Plan). These principles shall include:

- Preserving open space, farmland, natural beauty and critical environmental areas.
- Promoting urban development and redevelopment.
- Taking advantage of compact building design.
- Encouraging distinctive, attractive, mixed use communities with a strong sense of place.
- Encouraging the creation of walkable neighborhoods in population centers that can support compact development.
- Creating a range of housing opportunities and choices.
- Providing a variety of transportation choices.
- Encouraging community and stakeholder collaboration.
- Making development decisions predictable, fair and cost effective.

**FLU Policy 1.1.2: 2050 Framework Report and Planning Concept Plan**

The Charlotte County 2050 Planning Concept Plan (SPAM Series Map #1) illustrates land use relationships that follow the Planning Principles and represents future development for the County. This Planning Concept Plan provides no regulatory function within the Plan, but provides a graphic illustration of the application of the planning principles prescribed herein. The Charlotte 2050 Planning Framework Report and Concept Plan serve to guide development and redevelopment activities through the formulated objectives and policies associated with the four components of the Framework Report:

1. Natural Resources (FLU Goal 2)
2. Agricultural and Rural (FLU Goal 3)
3. Neighborhoods (FLU Goal 4)
4. Economic Development (FLU Goal 5)

**FLU Policy 1.1.3: Strategy for Reducing Vehicle Miles Traveled**

The County shall implement a comprehensive land use strategy that is designed to reduce vehicle miles traveled through policies that:

1. Discourage urban sprawl pursuant to Section 163.3177 F.S. (2015).
2. Provide for multiple housing options and community-tailored guidelines recognizing the County's diversity.
3. Amend the County's Code of Laws and Ordinances to further support the planning policies of the Plan.

**FLU Policy 1.1.4: Strategy for Sustainability: Performance Standards**

The County shall initiate efforts to quantify its impacts on climate change and the effect of the policies of this Plan to address this issue, and shall report on the results of this effort as a part of the 2017 Evaluation and Appraisal Report. At a minimum, this evaluation will include a methodology to quantify the existing average per capita vehicle miles traveled for Charlotte County and an evaluation of how these policies helped to reduce this performance criterion over the evaluation period.

**FLU Policy 1.1.5: Strategy for Sustainability: Reducing the Carbon Footprint**

The County shall take the following actions as part of an overall strategy to reduce the carbon footprint of development and infrastructure in Charlotte County:

1. *Bicycle and Pedestrian*: Encourage the cooperation of public agencies and private owners in the provision of a bicycle and pedestrian system connecting all land uses along arterial and collector roads in order to reduce dependence on automobiles.
2. *Transportation System*: Encourage the cooperation of existing and future land owners and developers in shifting to a multi-modal transportation system including, but not limited to, the locating of solar sheds, bus stops, shelters, and other passenger and system accommodations.
3. *Energy Efficiency*: Encourage the use of energy-efficient materials and building techniques.
4. *Unnecessary Restrictions*: Discourage deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g. building orientation, clotheslines, and solar water heating systems).
5. *Shade Trees*: Encourage the planting of native shade trees.

**FLU Policy 1.1.6: Consistency with Comprehensive Plan**

The County shall issue all development orders or permits to be consistent with the Future Land Use Map (FLUM) Series and Charlotte 2050 Comprehensive Plan as specified in Chapter 163.3194, F.S. All County regulations, including the Zoning Code, Subdivision Regulations, and Zoning Atlas, are subordinate to the Plan and to the FLUM Series. Density and intensity increases shall only be allowed up to the maximum provided by the designation of the subject property; increases beyond the maximum shall require a comprehensive plan amendment to a higher intensity use should one exist.

**FLU Policy 1.1.7: Defining Terms**

The County defines terms and phrases used within this Plan and hereby adopts them within FLU Appendix III: Definitions.

**FLU Objective 1.2: Future Land Use Map (FLUM)**

To direct the timing, location, density, and intensity of development and redevelopment throughout Charlotte County consistent with the Planning Principles in the 2050 Framework Report and Concept Plan.

**FLU Policy 1.2.1: Adopted Future Land Use Map Series (FLUM Series) and Planning Horizon**

The FLUM Series embodies strategies designed to build long-term community value, discourage urban sprawl pursuant to Section 163.3177 F.S. (2015) and ensure that public facilities and services are provided in the most cost-effective and efficient manner. Charlotte County provides appropriate goals, objectives, policies, data and analysis for a future land use, long-range planning horizon through the year 2030, but provides for a vision horizon through the year 2050. The County adopts the FLUM Series as depicted in FLU Appendix II: Future Land Use Map Series, and listed below, and uses the Future Land Use Categories as defined and adopted in FLU Appendix I: Land Use Guide:

Map #1:	2030 Future Land Use
Map #1A:	Detail Map of Charlotte Harbor 2030 FLU
Map #2:	2050 Framework
Map #3:	2030 Service Area Delineation
Map #4:	Watershed Overlay District
Map #5:	Surface Water Protection Overlay District
Map #6:	Prime Aquifer Recharge Area
Map #7:	Public Water System Wellhead Protection Areas
Map #8:	Special Area Overlay Districts
Map #9:	Barrier Island Overlay District
Map #10:	Community Planning Areas
Map #11:	Special Area Plans
Map #12:	Historic Sites
Map #13:	Coastal Planning Area
Map #14:	Coastal High Hazard Areas and Evacuation Routes
Map #15:	Sea Level Rise
Map #16:	Rivers and Lakes
Map #17:	Floodplains
Map #18:	Wetlands
Map #19:	Soils
Map #20:	Topography
Map #21:	Transfer of Density Waivers
Map #22:	Critical Wildlife Corridors
Map #23:	Rural Community Potential Locations
Map #24:	MRE Prohibited Areas

Map #25:	Developments of Regional Impact
Map #26:	Community Redevelopment Areas
Map #26A:	Charlotte Harbor Community Redevelopment Area
Map #26B:	Parkside Community Redevelopment Area

**FLU Policy 1.2.2: Scriveners’ Errors for FLUM Series Maps**

The boundaries of the FLUM Series Maps are graphic representations of different categories. To address scriveners’ errors, boundaries may be adjusted based on references to recorded documents, surveys, or other factual data to correct such errors. Boundaries shall not be adjusted in such a manner that they encroach into established residential areas. If the impacted area is greater than ten acres, it shall be corrected by a large scale plan amendment process. If the scriveners’ errors were a result of the County’s actions, the County shall initiate the process to correct such errors.

**FLU Policy 1.2.3: Service Area Delineation**

The County designates two distinct service areas, an Urban Service Area and a Rural Service Area (FLUM Series Map #3) that reinforce the preferred land use patterns of Charlotte County through policies that are designed to effectively discourage urban sprawl pursuant to Section 163.3177 F.S. (2018). Amendments to the Service Area Delineation map will be reviewed based upon the standards provided in FLU Policy 1.2.5.

**FLU Policy 1.2.4: Urban Service Area**

For lands within the Urban Service Area, this Plan:

1. Promotes infill redevelopment and compact new development that will minimize the conversion of agricultural and rural lands for urban use.
2. Maximizes the efficient use of available urban infrastructure.
3. Establishes the priority locations for the extension of that infrastructure.
4. Prohibits the expansion of Urban Service Area land use designations, identified in FLU Table A-1 of FLU Appendix I, outside the Urban Service Area.
  - a. The County shall not allow any increases in density or intensity through rezonings or plan amendments within the Rural Service Area except through amendments to Rural Community Mixed Use or Mineral Resource Extraction FLUM categories and consistent Zoning designations.

**FLU Policy 1.2.5: Rural Service Area**

For lands within the Rural Service Area, this Plan:

1. Protects the existing rural character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
2. Promotes lower densities in outlying rural areas which have infrastructure limitations.
3. Establishes a framework for future opportunities and development options, including standards that address the timing of future development.
4. Creates a focused strategy for the regulation of mining and resource extraction activity.

**FLU Policy 1.2.6: Expansion of the Urban Service Area**

Review of the Urban Service Area boundary will occur during the Evaluation and Appraisal Report (EAR) process and may occur outside the EAR process if there is a need to evaluate the boundary. Any such review shall include an assessment of the adequacy of the existing development rights and forms within the Urban Service Area as well as appropriate locations of the existing development rights within the County. While the expansion of the Urban Service Area is generally discouraged, should the County desire to expand the Urban Service Area or receives a private request to expand the Urban Service Area, the standards in Section 163.3177 F.S. (6)(a)9. (2018) shall apply.

**FLU Policy 1.2.7: Transfer of Density Units (TDU) Program Intent**

The County shall employ a transfer of density units (TDU) program whereby the development rights of property may be severed in perpetuity and transferred to designated locations that are more appropriate for development. The TDU program identifies sending and receiving zones. The intent is to create a TDU process that will:

1. Assist and encourage the removal of old, outdated, platted lots and subdivisions throughout the County.
2. Assist and encourage the replacement of an unsustainable and inefficient form of development with compact, higher density, mixed use development that is more sustainable and efficiently utilizes resources.
3. Incentivize the retention of long-term agricultural activities and the clustering of rural development densities.
4. Incentivize the voluntary preservation of environmentally sensitive lands.
5. Help preserve archeological and historic sites.
6. Prevent net density increases within the Coastal High Hazard Area (CHHA); provided that no transfers of density may occur in the CHHA from

a less to a more restrictive storm surge or flood zone west of the Myakka River and Charlotte Harbor.

**FLU Policy 1.2.8: TDU Applicability**

The TDU program shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement shall continue to apply to lands that have been annexed by the City of Punta Gorda. Density units shall only be severed in whole units; a fractional unit shall not entitle an applicant to an additional unit. All density transfers shall be on a one-for-one basis.

The following are descriptions of those situations wherein transfers of density will not be required by the County:

1. When developed consistent with a Revitalization Plan approved in accordance with FLU Policy 4.2.1 and 4.2.2, properties located in a Revitalizing Neighborhood may rezone to the maximum density allowed by their existing Future Land Use Map category. Density for this increase shall be granted by the County from Incentive Density, described in FLU Policy 1.2.16. Further instances of density transfers being granted by the County in Revitalizing Neighborhoods may be explored through the creation of a neighborhood's Revitalization Plan. Density granted for increases in a Coastal High Hazard Area (CHHA) in accordance with a Revitalization Plan shall only be allowed when the Incentive Density also comes from a CHHA. Notwithstanding the foregoing, any addition of density to the Placida Revitalizing Neighborhood may be implemented only through the transfer of density units (TDU Program). The boundaries of the Placida Revitalizing Neighborhood are shown on Spam Series Map #96.
2. Any other specifically recognized area under FLU Policy 1.2.15 of this Comprehensive Plan.

**FLU Policy 1.2.9: TDU Sending Zones**

The following sending zones are recognized by the County:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Rural Service Area (FLUM Series Map #3) retaining a bona fide agricultural use or consisting of substandard platted lots.
3. Lands within the Resource Conservation and Preservation FLUM categories.
4. Land within the Coastal High Hazard Area (FLUM Series Map #14).



5. Any land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources.
6. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
7. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
8. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
9. Land designated as a Wildlife Corridor Critical Linkage (FLUM Series Map #22). These lands may sever density at one unit per five acres, gross, if designated as Agriculture or Burnt Store Limited Development on the FLUM, and two units per five acres if designated Rural Estate Residential on the FLUM.
10. Lands located within the Urban Service Area and a building permit and/or Certificate of Occupancy has been issued to develop a school, place of worship, park, cemetery or mausoleum subsequent to December 3, 2007.
11. Vacant Lands located within the Urban Service Area and the owner wishes to retain an allowed residential density below the base density.

**FLU Policy 1.2.10: Restrictions on Sending Zones**

The County shall apply the following restrictions to sending zone sites:

1. Once density is removed from a sending zone it shall not be restored to that site unless such area becomes targeted as a growth area through an amendment to this Plan.
2. Sending zone sites certified under item 1 of FLU Policy 1.2.9 shall be placed under a restrictive covenant and all density severed except that owners shall retain one unit of density per platted lot if public potable water or sanitary sewer service is available.
3. Sending Zone sites certified under item 2 of FLU Policy 1.2.9.
  - a. If consisting of substandard platted lots, such Sending Zone sites shall be placed under a restrictive covenant and all density severed except that owners shall retain one unit of density per platted lot if public potable water or sanitary sewer service is available.
  - b. If not consisting of substandard platted lots, such Sending Zone sites shall be placed under a conservation easement if environmentally sensitive land or agricultural easement if under active agricultural use and the intent is to continue that use. Sending Zone sites under active agricultural use may retain one unit per 30 acres of active agricultural use, up to a maximum of 5 units, for use by the property owner, family members of the property owner, or a land manager.



4. Sending zone sites certified under items 3, 6, or 7 of FLU Policy 1.2.9 shall be placed under a conservation easement and no density shall be retained, an existing residential structure may be retained and such structure shall be counted as one residential unit.
5. Sending Zone sites certified under items 4, 5 or 8 of FLU Policy 1.2.9:
  - a. If public potable water or sanitary sewer service is available, the sites shall be placed under a restrictive covenant and all density severed except that owners shall retain one unit of density per platted lot or parcel.
  - b. If public potable water or sanitary sewer service is not available, the sites shall be placed under a conservation easement and no density shall be retained, an existing residential structure may be retained and such structure shall be counted as one residential unit.
6. Sending Zone sites certified under item 9 of FLU Policy 1.2.9 shall be placed under a conservation easement if environmentally sensitive land or agricultural easement if under active agricultural use and the intent is to continue that use. Sending Zones under active agricultural use may retain one unit of density and active agricultural uses may continue but may not be intensified or expanded. If the property owner does not choose to manage the land for wildlife, the County or appropriate State or non-profit agency may be given rights to manage any non-agricultural and non-residential portions of the property for wildlife usage.

**FLU Policy 1.2.11: TDU Receiving Zones**

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

1. Emerging Neighborhoods.
2. Maturing Neighborhoods.
3. Economic Corridors and Centers.
4. CRAs
5. Revitalizing Neighborhoods prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.
6. The Rural Settlement Overlay District.

Receiving Zones within the Rural Service Area include lands within:

Rural Community Mixed Use areas.

**FLU Policy 1.2.12: Prohibited Receiving Zones**

Density shall not be transferred into:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Resource Conservation and Preservation FLUM categories.
3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; except that when a portion of a property contains these resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet or may have the required 100-foot buffer reduced only if approved through an environmental resource permit or applicable State or Federal permit. Any development shall comply with Federal and State regulations as well as policies set forth in this Plan to protect environmentally sensitive resources. An historical or archaeological resource that is to be integrated into a development will not need to be buffered.
4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7) unless public potable water and sanitary sewer services are available.
7. Land on a barrier island, except that density may be transferred within Manasota Key or Sandpiper Key.

**FLU Policy 1.2.13: Rural Receiving Zones**

Receiving zones in the Rural Service Area may only receive density units from sending zones in the Rural Service Area.

**FLU Policy 1.2.14: Possible TDU Bonus Programs**

The County shall explore the feasibility of utilizing a bonus for removing density from Managed Neighborhoods and from lands that have been enhanced by landowners for habitat management or ecosystem services. The County shall include policies within this element to identify any bonus density applied to sending zones.

**FLU Policy 1.2.15: TDU Waivers**

The following are waivers, depicted on FLUM Series Map #21, from the requirement to transfer density to a Receiving Zone:

1. Development within the Babcock Ranch Overlay District (BROD) is exempt from any Transfer of Density Units policies in the Comprehensive Plan and from the Transfer of Density Units requirements of the Land Development Regulations.
2. Development within the Murdock Village Community Redevelopment Area (MVCRA) is exempt from any Transfer of Density Units policies in the Comprehensive Plan and from the Transfer of Density Units requirements of the Land Development Regulations.

**FLU Policy 1.2.16: Incentive Density**

FLUM Series Map #2: 2050 Framework illustrates those lands within the County that are now designated as Managed Neighborhoods. FLU Policy 4.5.1, #3, states that no increases of density or intensity are allowed in these Neighborhoods. By removing the ability of these lands to increase in density, the County has removed 13,092 units of potential density from underneath the Future Land Use Map. The County shall hold this potential density and utilize it to incentivize certain development within the County under FLU Policy 1.2.17 and redevelopment efforts consistent with FLU Policy 4.2.1. The County shall maintain a record of all density transferred under FLU Policy 1.2.17, which shall be no greater than the total amount of Incentive Density.

**FLU Policy 1.2.17: Incentive Density Usage**

In order to promote development and redevelopment within Revitalizing Neighborhoods, address the deficiency of market-rate rental properties, low-, very low- and moderate-income housing and workforce housing, and promote development within Economic Centers and Community Redevelopment Areas, the County may grant, at no cost to grantee, Incentive Density in the following circumstances:

1. In Revitalization Neighborhoods with plans created and adopted consistent with FLU 4.2.1, for density increases above base density.
2. Increases above base density for projects solely used for long-term market-rate rental properties, low-, very low- and moderate-income housing, or workforce housing. Market-rate rental project must be in perpetuity, and low-, very low- and moderate-income housing, or workforce housing project must be 20 or 30 years depending on funding sources, i.e. State or Federal funding. Such projects must be located outside of the Coastal High Hazard areas, within Economic Centers, Economic Districts, or Revitalizing Neighborhoods, and shall not be age-restricted. In addition, if such properties are located west of the Myakka River and Charlotte Harbor, the Incentive Density shall come from Managed Neighborhoods west of the

Myakka River and Charlotte Harbor, and must come from a similar or more restrictive FEMA Flood Zone.

3. For use of an adopted equivalency matrix or conversion table to increase residential dwelling units above the maximum approved by this Plan or DRI development orders, provided such property is located outside of the Coastal High Hazard Area and shall not be located west of the Myakka River and Charlotte Harbor.

### **FLU Objective 1.3: Protection of Historic Resources**

To ensure that natural, historic, archaeological and cultural resources are protected for the enjoyment of all citizens through provisions of the Charlotte County Code of Laws and Ordinances and this Plan.

#### **FLU Policy 1.3.1: Identification of Natural, Historic, Archaeological, and Cultural Resources**

The County shall create a Local Historic Register using information from the Survey of Historic Resources for Charlotte County developed in 2008, which will be updated periodically.

#### **FLU Policy 1.3.2: Protection of Historical and Archaeological Resources**

The County shall protect designated historic districts (SPAM Series Map #2), areas surrounding identified archaeological sites, and historic structures listed on the National Register of Historic Places, Florida Master Site File, or Local Historic Register by identifying these resources for additional review. The County will also manage publicly-owned lands in cooperation with various agencies or groups to ensure that historic and archaeological resources, including the County's historic cemeteries and burial places, are protected.

#### **FLU Policy 1.3.3: Archaeological Predictive Model**

The County shall determine the location of potential historic resources using the Archaeological Predictive Model (SPAM Series Map #3) prepared by Environmental Services, Inc. for the Phase II Survey of Historic Resources for Charlotte County in 2009. The model will be used to evaluate requests for any Future Land Use Map amendments and rezonings.

### **FLU Objective 1.4: Protection of Private Property Rights**

To recognize and respect private property rights, including the right to farm, and to respect such rights and the impact upon them when preparing recommendations for land use decisions.

**FLU Policy 1.4.1: Vested Rights Protection**

The County recognizes and respects private property rights, including the right to farm, as well as other existing entitlements, and shall continue to provide methods for the assertion of vested rights and other administrative remedies through the Charlotte County Code of Laws and Ordinances.

**FLU Policy 1.4.2: Notice of Property Owners and Neighboring Lands**

The County shall provide appropriate notice to the property owner(s), the general public and owners of neighboring lands of all applications for amendments to the Comprehensive Plan, Zoning Atlas, and Land Development Regulations.

**FLU Policy 1.4.3: Agricultural Primacy**

The County shall consider bona fide agricultural operations that have been in existence for at least one year, regardless of crop or agricultural use rotation, and that have been developed on lands designated for agricultural use on the FLUM as having "primacy" over other land uses that may be developed in time. Primacy means that, when conflict arises between agricultural uses and non-agricultural uses, these conflicts will be resolved in favor of the agricultural interests, provided the agricultural interests were established prior to the non-agricultural uses.

**FLU Policy 1.4.4: Alternative Development Options**

If a property owner chooses to take advantage of the development alternatives within this Plan, then to the extent that there are master planning, design, infrastructure, open space or other obligations that are required in order to gain development approval, these obligations shall be enforced.

The recommended development patterns and options including Conservation Subdivisions, Rural Communities, and the Rural Settlement Overlay District are implementation techniques available to landowners within the Rural Service Area of the County and are not required forms of development. Landowners will have the option to participate in these programs if they desire to increase the densities and intensities allowed on their lands.

**FLU GOAL 2: PLANNING CONCEPT PLAN IMPLEMENTATION - NATURAL RESOURCE PROTECTION**

Promote land use practices that:

- **Preserve and protect natural resources and wildlife habitat.**
- **Target additional acquisition to close gaps in regional and Statewide wildlife corridors.**
- **Maintain or improve the quality of water that discharges into surface waters and groundwaters.**
- **Minimize negative environmental impacts within the built environment.**

**FLU Objective 2.1: Protect Natural Lands**

To create, protect and manage systems of green infrastructure including open spaces within developments, conservation lands, areas protected by easement or covenant, parks, wetlands, and floodplains.

**FLU Policy 2.1.1: Conservation Lands**

The County shall protect conservation lands in public and private ownership and assure the protection of large-scale conservation areas across the County. The planning principles that guide the decisions regarding the identification and protection of these conservation areas include:

1. Protect native biological diversity.
2. Protect viable portions of natural plant communities.
3. Link conservation lands.
4. Allow for natural flooding, prescribed fires and other natural land management tools.

**FLU Policy 2.1.2: 2050 Framework – Conservation Lands**

The County hereby depicts as Conservation on the 2050 Framework (FLUM Series Map #2) those lands that are designated as Preservation, Resource Conservation and, in some cases, Parks and Recreation on the Future Land Use Map and those lands that are known to be restricted from development by covenant or easement within the Urban Service Area. Private lands within this designation are allowed to develop existing development rights. Requests to allow greater density or intensity for private-owned lands designated as Preservation, Resource Conservation and, in some cases, Parks and Recreation are generally discouraged with the intent of protecting natural resources and aiding in conservation efforts. Request to increase density or intensity on lands restricted from development by a recorded conservation easement established pursuant to policies set forth in the Plan related to the TDU program will be denied.

**FLU Policy 2.1.3: Direct Incompatible Uses Away from Natural Lands**

The County shall review proposed FLUM amendments or rezoning actions adjacent to lands designated as Preservation or Resource Conservation and all public lands acquired for preservation purposes for potential adverse impacts, and shall ensure that:

1. Adverse impacts that would compromise the value and connection of natural lands within the County are discouraged and minimized.
2. Long-term management, including prescribed fire, will not be precluded or compromised by adjacent development.

3. The fragmentation of natural systems within these lands shall be avoided when viable. When avoidance is not viable, fragmentation shall be minimized.

**FLU Policy 2.1.4: Access to Conservation Areas**

The County shall continue to work to ensure that public conservation lands within the County are accessible to the public:

1. When such access does not conflict with the resource management goals of those lands.
2. To encourage passive recreation in scrub jay habitat, when appropriate as set forth in the Habitat Conservation Plan (HCP).
3. To encourage the public participation in more forms of resource-based recreation.

**FLU Policy 2.1.5: Access to Public Water Bodies**

The County shall not vacate any public street, right-of-way, or easement that would constrain existing or potential public access to the County's many public water bodies in the absence of public benefit. The County shall address and define public benefit, including whether there are conditions that mitigate and could allow for the vacation of a public street, right-of-way, or easement that provides or potentially could provide such access.

**FLU Policy 2.1.6: Floodplain Protection**

All development shall be consistent with the adopted Florida Building Code and the adopted local Floodplain Ordinance. The County shall evaluate and potentially revise the existing Floodplain Ordinance to comply with the requirements and rules of the National Flood Insurance Program and any higher regulatory standards adopted by the Board of County Commissioners.

**FLU Policy 2.1.7: Wetland Protection**

The County shall protect wetlands so as to be consistent with the objectives and policies within the Natural Resources element and the Coastal Planning element, including the requirement that development proposals and activities protect wetlands so that productive natural functions shall be maintained in the post-development environment.

**FLU Policy 2.1.8: Exotic Species**

The County shall adopt and implement regulations to prevent the introduction and spread of invasive, exotic species and shall also implement a program to eradicate established colonies from natural areas managed by the County. This program will be coordinated with adjacent governments as well as State and Federal agencies.



**FLU Policy 2.1.9: Natural Resource Protection during Mining Activities**

The County shall require natural resources to be protected during excavation activities. The County shall review activities in wetlands or listed species habitat for compliance with local, State, and Federal regulations and guidelines; regardless of the issuance of a permit by a State or Federal agency, the County reserves the right to deny a permit when such excavation or its associated activities would impact such resources. The County shall also require a reclamation plan for post-excavation use as a condition of permit issuance.

**FLU Objective 2.2: Wildlife Corridors**

To identify and protect corridors or linkages that maintains a contiguous network of wildlife habitat between existing preservation lands.

**FLU Policy 2.2.1: Establish a Wildlife Corridor Linkage Strategy**

The County has adopted Critical Wildlife Corridors (FLUM Series Map #22) in the east county area as an initial important step in a County-wide Wildlife Corridor Linkage Strategy. The County shall adopt a Wildlife Corridor Linkage Strategy. Protection methods for lands within the Corridors may include acquisition and incentives.

**FLU Policy 2.2.2: Minimize Roadway Encroachments**

The County shall evaluate local roadway construction projects to consider the potential direct and indirect impacts of such projects to the County's conservation efforts and establish a mechanism within the Corridor Linkage Strategy to mitigate such impacts when they are identified.

**FLU Policy 2.2.3: Minimize Fragmentation from Incompatible Land Uses**

In order to prevent the degradation of existing or proposed conservation lands, the County shall:

1. Be judicious when extending urban services and create standards for clustering, Transfer of Density Units, and implement other similar programs.
2. Ensure that incompatible land uses are not allowed adjacent to existing or future planned conservation lands to avoid limitation of management actions, exotic species transfer, or restriction to wildlife access due to habitat disturbance.

**FLU Objective 2.3: Water Quality and Quantity Protection**

To enhance the significant assets associated with the County's water-based resources by ensuring that the water quality of these resources is protected, and the water supply is not compromised.

**FLU Policy 2.3.1: Water Quality Protection**

The County shall implement the recommendations of the Charlotte Harbor National Estuary Program for the Gasparilla Sound-Charlotte Harbor and Cape Haze Aquatic Preserves and their watersheds by establishing a program that focuses on:

1. Identifying and reducing sources of nutrients.
2. Restoring and maintaining natural surface and groundwater hydrology.
3. Identifying water quantity and quality impacts from mining, agriculture, and urban land uses.

**FLU Policy 2.3.2: Charlotte Harbor Management Plan**

The County shall require all development approvals, Future Land Use Map amendments and rezoning actions to be consistent with the provisions of the Charlotte Harbor Aquatic Preserves Management Plan (May 1983), which designates certain water bodies as wilderness preserves and requires the maintenance of these systems in a primarily natural state; Charlotte Harbor Surface Water Improvement and Management (SWIM) Plan (January 15, 1993), which seeks to preserve natural and functional components of the ecosystem in order to support biological communities; and the Lemon Bay Aquatic Preserve Management Plan (June 1991), which seeks to preserve marine and estuarine areas in natural or restored conditions in Lemon Bay.

**FLU Policy 2.3.3: Nutrient Runoff**

The County shall continue to monitor water quality in surface waters and shall require Best Management Practices to reduce nutrient-laden runoff, which includes but is not limited to runoff from urban areas, residential landscapes, and agricultural lands. The County shall require implementation of Best Management Practices as required by permits issued by State agencies.

**FLU Policy 2.3.4: Aquifer Recharge Protection**

The County shall protect groundwater resources by maintaining very low density and intensity in areas of aquifer recharge.

**FLU Policy 2.3.5: Public Water System Wellhead Protection**

The County shall evaluate the effects of development on wellheads for all proposed land uses within delineated cones of influence for all central potable

water supply wellheads used for public consumption (FLUM Series Map #7). Where a cone of influence is not determined, all proposed development within 1,500 feet of the wellhead will be evaluated. Land uses in which hazardous materials, such as petroleum products, chemical or biological wastes, are produced or stored are not permitted to adversely impact groundwater resources. Landfills, wastewater treatment facilities, or feedlots/concentrated animal facilities are prohibited.

**FLU Policy 2.3.6: Groundwater Protection**

The County shall require commercial and industrial uses to be developed without the contamination of groundwater and shall not permit land uses in which hazardous materials, such as petroleum products, chemical or biological wastes, are produced or stored in areas where their presence would adversely impact groundwater resources, recharge areas (FLUM Series Map #6), or watersheds that drain into surface water supplies (FLUM Series Map #4).

**FLU Objective 2.4: Green Design for the Built Environment**

To minimize the effects of urban development on the natural resources of the County and the global environment.

**FLU Policy 2.4.1: Public Buildings**

The County shall support energy conservation measures and practices in the administration, design, and construction of new and redeveloped County buildings and facilities to reduce energy consumption and tax dollars allocated for power and fuel, including the consideration of seeking LEED certification for such buildings or other comparable certification process.

**FLU Policy 2.4.2: Development Incentives**

The County shall evaluate and potentially revise its Code of Laws and Ordinances to make development application, review and approval processes easier, faster and more cost effective for projects that are consistent with the Planning Principles of this Plan, such as:

1. U.S. Environmental Protection Agency's Energy Star Buildings and Green Lights Program to increase energy efficiency through lighting upgrades in buildings.
2. Rebuild America.
3. Building for the 21st Century.
4. Energy Smart Schools.
5. National Industrial Competitiveness through Energy.
6. U.S. Department of Environmental Protection's Pollution Prevention (P2) Program.

7. U.S. Green Building Council (LEED).
8. Florida Green Building Coalition (FGBC), including pursuing certification as a Green Government.

**FLU Policy 2.4.3: Conservation Measures at the Area-wide Planning Scale**

The County shall introduce green design concepts into the review and approval process for plan amendments and rezoning applications and into the County's Capital Improvements Program through the following actions:

1. Rely on the Service Area Delineation (FLUM Series Map #3) and 2050 Framework (FLUM Series Map #2) to define where future urban and high density and high intensity development shall occur.
2. Apply standards for Revitalizing and Emerging Neighborhoods (See FLU Goal 4) that focus on infill development and redevelopment, the re-positioning of underdeveloped platted lands to create compact, mixed use development patterns, and higher densities that reduce vehicle miles traveled and will support multimodal transportation networks.
3. Apply standards for rural and agricultural areas (See FLU Goal 3) that:
  - a. Prohibit the extension of potable water and sanitary sewer service into the Rural Service Area, except that potable water and sanitary sewer service may be extended to a Rural Community if it is developed adjacent to an already served, certificated area.
  - b. Establish guidelines and promote innovative options for the development in an effort to prevent the premature conversion of agricultural lands.
  - c. Establish standards and guidelines to protect natural resource lands.
  - d. Require context sensitive roadway design.
4. Continue to protect environmentally sensitive lands and waters from urban development through various means including, but not limited to, the acquisition and maintenance of land and density units, or through land use regulation. Implementation programs shall include transfers of density units, stormwater management, the Watershed Overlay District (FLUM Series Map #4), prohibition of discharges of untreated wastewater, and erosion control.

**FLU Policy 2.4.4: Green Design at the Site Planning Scale**

The County shall consider introducing green design concepts into the site plan review and approval process through amendments to the Code of Laws and Ordinances within one year of the effective date of this comprehensive plan that will:

1. Create incentives and remove obstacles to allow a mix of uses on development sites.
2. Provide incentives to reduce conventional energy consumption.
3. Reduce fertilizers in urban landscapes.
4. Require Florida Friendly Landscaping.
5. Encourage a connected street network.
6. Minimize air pollution through the inclusion of multimodal transportation systems and a mixture of land uses.
7. Protect water quality and supply, and minimize water consumption.

**FLU Policy 2.4.5: Incentives for Pollution Control at the Building Scale**

The County shall consider amending its Code of Laws and Ordinances to provide incentives at the building level to minimize energy and water consumption, limit or eliminate the use of toxic materials and reduce waste.

**FLU Policy 2.4.6: Strategy to Protect Coastal High Hazard Area**

To protect existing and future populations from the loss of life and property caused by catastrophic hurricanes, the County shall limit development within the Tropical Storm and Category I Hurricane Storm Surge Zones, collectively referred to as the Coastal High Hazard Area (CHHA), as illustrated on the SLOSH map issued by the Division of Emergency Management, and shall:

1. Prohibit increases of density on any barrier island (FLUM Series Map #9) and, for bridgeless barrier islands, only allow for residential uses at very low densities not to exceed one dwelling per acre or one dwelling unit per lot platted by 1992.
2. Limit density of all other development platted subsequent to April 19, 1993 to 3.5 units per acre within the CHHA.
3. Allow the voluntary transfer of densities out of the CHHA.
4. Prohibit construction of public facilities within the CHHA unless such location is the only one that serves that particular structure's intended public purpose and, if building in that location is necessary, build these facilities at least eight feet above the base flood elevation in order to provide storm surge flood evacuation protection.

**FLU Policy 2.4.7: Short-term Actions to Address the Effects of Climate Change**

The County shall consider amending the Code of Laws and Ordinances within one year of the effective date of this comprehensive plan to require that all proposed development address ways to minimize damage from coastal erosion, 100-year floods, tidal surges from hurricanes and coastal storms, and a projected year 2050 0.5 meter sea level rise (FLUM Series Map #15). These measures may include

elevating structures on pilings and elevating roadways to mitigate the impacts of anticipated storm surges, flooding, and sea level rise.

**FLU Policy 2.4.8: Long-term Strategy to Address the Effects of Climate Change**

Upon completion of the Department of Economic Opportunity pilot project for "Integrating Hazard Mitigation into MPO Long Range Transportation Planning", and "Best Practices Guidebook" that is being prepared by Florida State University, Charlotte County shall review the findings of this document and consider adopting policies determined necessary and appropriate to implement the recommendations regarding inundation protection, accommodation, avoidance, and relocation of impacts from erosion, inland flood, storm surges, and wildfires.

**FLU GOAL 3: PLANNING CONCEPT PLAN IMPLEMENTATION - AGRICULTURAL/RURAL**

**Manage the form, pattern and timing of future growth and development through a clear and predictable land use strategy that:**

- Preserves and enhances the rural character and lifestyle for rural residents.
- Respects the agricultural lands and landowners.
- Values and preserves open spaces.
- Facilitates the transition of land uses over time into sustainable, livable places (communities).

**FLU Objective 3.1: Agricultural Lands**

To establish a Framework for the future of agricultural lands in Charlotte County that will encourage the preservation of agriculture as a viable short- and long-term use of land and as an asset of Charlotte County's economy as well as provide clear, fair and consistent standards for the review and evaluation of future development proposals.

**FLU Policy 3.1.1: 2050 Framework – Agricultural/Rural**

The County hereby depicts as Agricultural/Rural on the 2050 Framework (FLUM Series Map #2) those lands that are located in the Rural Service Area.

**FLU Policy 3.1.2: Conservation Subdivision - Protect Open Spaces**

The County shall permit the creation of a Conservation Subdivision in conformance with the guidelines provided herein and shall amend the Land Development Regulations to create a Conservation Subdivision zoning designation to provide regulatory controls for the establishment of Conservation Subdivisions. A Conservation Subdivision development shall recognize the following design guidelines and criteria:

1. Conservation Subdivisions shall be permitted on lands designated as Wildlife Corridor Critical Linkages (FLUM Series Map #22).

2. Conservation Subdivision proposals shall provide a Constraints and Opportunities Map of the site showing existing features of the land such as flood plains, wetlands, oak hammocks, unbroken expanses of woodland, streams and sloughs, etc.; areas being used for active agriculture; excavated waterbodies and structures; and areas of listed species use or habitation. These features will be used as constraints and opportunities for the concept plan development.
3. Conservation Subdivision proposals shall set aside a minimum of 70 percent of the total site as Rural Residential Open Space, exclusive of development areas and shall follow the requirements set below. Rural Residential Open Space is not required to be owned, held, managed or maintained through one single owner or through one common ownership mechanism such as a homeowners association or other common interest development.
  - a. Rural Residential Open Space shall be preserved in perpetuity through the use of an irrevocable agricultural or conservation easement, or both, which shall be filed with the Clerk of the Circuit Court upon approval of a Conservation Subdivision rezoning.
  - b. Rural Residential Open Space shall be configured to create external connectedness to a larger, contiguous, off-site network of interconnected open space, particularly existing habitats. An Open Space Management Plan shall address opportunities for restoring and preserving native habitats and shall also include a mechanism(s) to implement management activities as well as a plan for the ownership and maintenance of the Open Space.
  - c. Rural Residential Open Space shall be configured to create internal connectedness through connected and integrated open space. Environmentally sensitive resources shall be protected and development shall not be located within designated wildlife corridors.
  - d. Rural Residential Open Space wildlife corridors may be a minimum of 300 feet wide for 20 percent of their length. For the remaining 80 percent of the length of the corridors, the minimum width shall be 500 feet.
4. Conservation Subdivision proposals shall cluster all development on the least environmentally sensitive portion(s) of the site. The location of residential development lots shall be arranged in a context sensitive manner and shall be clustered in such a way as to preserve the function, purpose and integrity of the on-site natural resources and environmental systems to the maximum extent practicable; to minimize disturbance to woodlands, wetlands, and other natural features; to protect and preserve



the rural appearance of land when viewed from public roads and from abutting properties.

5. Conservation Subdivision proposals may include the development of rural recreational uses and private recreational facilities such as a club house, swimming pool, tennis courts, basketball courts and similar facilities on the development portion of the site. These uses shall not be used to satisfy the Rural Residential Open Space requirements of the subdivision.
6. Conservation Subdivision proposals shall protect the rural character of the surrounding community as indicated in FLU Objective 3.2 and associated policies.

**FLU Policy 3.1.3: Rural Community Opportunities**

The County shall allow the establishment of "Rural Communities" within the Rural Service Area through the Rural Community Mixed Use FLUM category, described in FLU Appendix I, in order to:

1. Provide residential and employment opportunities within this Area;
2. Establish more functional transitions between urban areas and rural areas of the County;
3. To provide an option within the rural community that enables a degree of rural sustainability, is designed around a rural theme, and protects the overall rural character of the area; and
4. Provides an opportunity to perpetually protect environmental lands and agricultural uses.

**FLU Policy 3.1.4: Standards for Rural Settlement Area Overlay District**

The County shall allow the establishment of a "Rural Settlement Area" within the Rural Service Area through the Rural Settlement Area Overlay District, described in FLU Appendix I, in order to establish a more functional transition between the urban area and rural area along U.S. 17 (Duncan Road). The development shall exhibit the highest level of sustainable design. Prior to approval of any development within the Rural Settlement Area, the County shall draft land development regulations for the area consistent with an approved pattern book and development guide, the Rural Settlement Overlay District standards, and the following concepts:

1. A balanced mixture of uses will be provided to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian-friendly streetscapes.
2. Requirements for the provision of civic spaces, such as green spaces, community centers or central plaza features.

3. Provision for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block length.

**FLU Objective 3.2: Protect Rural Character**

To protect the existing rural character of those areas of the County within the Rural Service Area (FLUM Series Map #3) and thereby ensure this lifestyle is preserved for existing residents and remains available to future generations.

**FLU Policy 3.2.1: Preserving Rural Character**

The County shall preserve and protect rural character within the Rural Service Area by requiring that all future development activities within this Area preserve, support, and enhance the fundamental elements of rural character. It is not the obligation of residents and businesses (agriculture being considered a business) in a rural area to change and conform to the needs and character of new development but rather the obligation of the new development to seamlessly integrate into the existing character of the rural location.

**FLU Policy 3.2.2: Elements of Rural Character**

Rural character is denoted by:

1. Open space where the natural landscape and vegetation predominate over the built environment.
2. Visual landscapes that are traditionally found in rural areas, such as row crops, pasture, woodlands, barns, and fences.
3. Uses that are compatible with terrestrial and aquatic wildlife habitat and the continued use of that habitat by the wildlife.
4. Uses that are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.
5. Intermittent concentrated village and hamlet style developments surrounded by large open spaces.
6. Uses that generally do not require an extension of urban governmental services:
  - a. Large and small scale farming;
  - b. Scattered agricultural industry;
  - c. Sporadic commercial retail uses that serve the social and economic needs of the residents;
  - d. Very low density development.

**FLU Policy 3.2.3: Context Sensitive Design for Roadway Infrastructure**

The County shall require that all future roadway projects within the Rural Service Area be designed consistent and compatible with the rural character of the land, including speed, travel lane width, access management, landscaping and lighting.

Landscape and habitat preservation shall be enforced by limiting access and roadway intersections. The design shall also incorporate signage and design features to accommodate wildlife crossings near wildlife habitat areas.

**FLU Policy 3.2.4: Limitation on the Extension of Urban Infrastructure**

Infrastructure such as water and sewer utilities and stormwater facilities within the Rural Service Area shall reflect a rural level of service and shall not be modified to the point that it allows for urban development. The County shall prohibit the provision of water and sewer infrastructure within the Rural Service Area and shall:

1. Continue to rely primarily upon individual on-site wells as the method of providing potable water to the residents and other occupants;
2. Continue to rely primarily upon individual on-site septic systems as the method of disposal of wastewater;
3. Require that new development shall not be designed nor constructed with centralized potable water or sanitary sewer systems with the following exceptions:
  - a. Rural Community Mixed Use community; or
  - b. It is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution.
4. Not require developments to connect to any central potable water or sanitary sewer services if these services are extended into the area except in those situations listed in 3. above.

**FLU Policy 3.2.5: Support Economic Viability of Agricultural Lands**

The County shall preserve the economic viability of agricultural lands and prevent the premature conversion of these lands to other uses to ensure that the County experiences no substantial loss of agricultural productivity.

**FLU Policy 3.2.6: Support Agricultural Production**

Through the resources of the Agricultural Extension Service, the County shall actively promote the conservation of bona fide agricultural uses and will provide information to agricultural producers to improve production and methods.

**FLU GOAL 4: PLANNING CONCEPT PLAN IMPLEMENTATION - NEIGHBORHOOD PROTECTION AND ENHANCEMENT**

**Enhance the livability and viability of neighborhoods through the implementation of a coordinated strategy that discourages urban sprawl pursuant to Section 163.3177 F.S. (2015) and:**

- Preserves and protects existing viable neighborhoods and subdivisions.
- Promotes revitalization and infill development in neighborhoods that are aging.

- **Redefines existing under-developed platted subdivisions by promoting alternatives that create walkable places which integrate commercial uses and introduces a mixture of housing types.**
- **Establishes limitations and constraints for areas of platted lots that are sparsely developed, lack urban services, or are encroaching into sensitive environmental lands.**

#### **FLU Objective 4.1: Discourage Urban Sprawl**

To transform the character, function, and form of the planned residential land uses within Charlotte County into functional, sustainable neighborhoods as part of the planning approach to redefining the County's platted lands. The County shall continue to encourage reduction of the total number of vacant lots. Reducing the number of vacant lots is not necessarily intended to result in reduced overall buildout but is intended to ensure sustainable buildout occurs.

#### **FLU Policy 4.1.1: 2050 Framework - Neighborhoods**

The County recognizes four neighborhood types (FLUM Series Map #2) for the purpose of establishing policies and standards for directing future residential development:

1. *"Revitalizing" Neighborhoods.* These neighborhoods include areas that are predominately built-out, generally 50 percent or greater, and where the housing and commercial stock is aging and in general need of reinvestment and revitalization. Some of these areas are possible candidates to receive a Community Redevelopment Area designation in the future. Strengthening the residential and commercial base of these neighborhoods is critical for maintaining long-term stability and economic value. Revitalizing Neighborhoods are considered infill locations within the County. Revitalizing Neighborhoods will be encouraged to create Revitalization Plans to outline the redevelopment goals for that neighborhood.
2. *"Maturing" Neighborhoods.* These neighborhoods mostly contain lots that are substantially developed, generally 30 percent or greater, within which infill continues to occur based on neighborhood and home builder marketing. Even though the functionality of the neighborhood is limited by its mainly singular use, stable growth is occurring and the majority of that growth is residential development. These neighborhoods are generally served with central water and sewer services. The continued protection of the neighborhood is important and necessary. Formal plans for Maturing Neighborhoods are not considered necessary as the growth and development of these areas is fairly recent and continues without much need for changes of land use.

3. *"Emerging" Neighborhoods.* These neighborhoods include large areas of undeveloped lots or other undeveloped lands in locations that are appropriate for residential and mixed use development. Emerging Neighborhoods are generally near regional transportation corridors, typically have central water and sewer infrastructure, and are in the path of future urban development. These neighborhoods have the opportunity to create a sense of identity for the community and to introduce planning principles supporting more sustainable neighborhoods prior to further development. Emerging Neighborhoods will be encouraged to create Emerging Area Plans to help guide anticipated development.
4. *"Managed" Neighborhoods.* These neighborhoods include areas of undeveloped, sparsely developed, or underdeveloped lands. The majority of the lots are platted. These lands contain or are adjacent to sensitive environmental resources and usually lack urban services and utilities, although future provision for infrastructure may already have been made or may occur for some areas based on State mandates, consent orders, or health, safety and welfare requirements. While some development has occurred within these areas, the County wishes to discourage further infill and intensification of these neighborhoods in order to limit the extent that development of these lands could impact sensitive lands, waterways, and wetlands. The County will explore the potential of utilizing lands that have severed development rights as rain gardens to help sustain the County's goal of reducing water pollution.

**FLU Policy 4.1.2: Overall Reduction in Platted Lands**

The County shall continue to pursue the objective of reducing the total number of vacant lots by a minimum of one percent per year during the planning period (2010-2030) of this Plan, through the following actions:

1. Implementation of the Neighborhood Framework.
2. Implementation of a graduated impact fee schedule that encourages development within Revitalizing Neighborhoods.
3. If appropriate, public acquisition of lots for preservation, restoration, recreation, viable habitat for listed species, or outdoor education using public funds.
4. Creating incentives for plat vacations or re-platting lots within targeted areas through an administrative plat vacation or re-platting process where the cost is borne by the County if a density reduction occurs as a result of the plat vacation or re-platting.
5. Creating incentives for the assembly and re-platting of lots by private interests for redevelopment or other purposes.

6. Selective acquisition of lots by the County for use in property assembly, lot swaps, or transfers of density units where such action satisfies a public need, such as the provision of infrastructure or urban services.
7. Facilitation of the re-assembling of lots.

**FLU Policy 4.1.3: Coordinated Efforts**

The County shall work with its legislative delegation and other communities to create an action plan which identifies workable solutions to State-wide platted lands issues. The County shall apply to the State and Federal governments for funding to assist in resolving the problems associated with platted lands. Funding sources shall include the State's Florida Forever, Florida Communities Trust, Save Our Rivers, and other programs.

**FLU Policy 4.1.4: Incentives for Private Solutions**

The County shall work to create incentives that will encourage private enterprise to work towards solutions to the platted lands problem.

**FLU Policy 4.1.5: Adequate Support Services**

The County shall support plan amendments to the sub-neighborhood Commercial category or the Office and Institutional category, when appropriate, within Maturing Neighborhoods, Revitalizing Neighborhoods, or Emerging Neighborhoods as one method to ensure that there are adequate commercial neighborhood support services in close proximity to these predominantly residential areas.

**FLU Policy 4.1.6: Neighborhood Compatibility**

The County shall protect the quality and integrity of established neighborhoods from adjacent incompatible development and shall include specific review criteria for rezoning actions to address residential compatibility. The following shall be considered:

1. A method for determining compatibility between residential zoning classifications.
2. Buffer or transition requirements necessary to develop or achieve compatibility where appropriate. The purpose of such criteria is to provide standard and predictable measures for establishing and creating compatibility through landscaping, buffers, natural areas or transitional development practices in an effort to:
  - a. Lessen impacts and integrate development along the edges of properties where different zoning districts are present,
  - b. Screen undesirable views,
  - c. Preserve tree canopy and vegetation, and

- d. Facilitate the safe movement of traffic and pedestrians in vehicle use areas.

**FLU Policy 4.1.7: Roadway Compatibility**

The County shall encourage the viability of communities adjacent to collector and arterial roadways and reinforce community identity, context sensitive land use and roadway relationships through the following standards:

1. Locate commercial uses serving neighborhoods or higher density residential at key intersections.
2. Enforce existing Land Development Regulation provisions, or create necessary additional standards, specifying when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping.

**FLU Policy 4.1.8: Priority for the Provision of Urban Services**

The County shall establish the priority for the extension of urban services and facilities including, but not limited to, potable water and sanitary sewer services in residential areas as follows:

1. *First priority:* Revitalizing Neighborhoods.
2. *Second priority:* Maturing Neighborhoods.
3. *Third priority:* Emerging Neighborhoods with completed Emerging Area Plans.
4. *Fourth priority:* Emerging Neighborhoods without completed Emerging Area Plans.
5. In certain instances, the County may provide higher levels of infrastructure and services to areas regardless of the neighborhood designation in order to protect the public health, safety, and welfare.

**FLU Objective 4.2: Revitalizing Neighborhoods**

To promote the renewal and redevelopment of areas in order to create more sustainable development patterns, densities, intensities, and mixes of uses through developing and implementing specific Neighborhood Revitalization Plans.

**FLU Policy 4.2.1: Revitalization Plans - Revitalizing Neighborhoods**

The County shall introduce a Revitalization Planning program under which specific communities and their geographic boundaries within the Revitalizing Neighborhoods will be identified. The Revitalization Plan will establish a vision to promote and intensify these neighborhoods. Revitalization Plans shall be adopted by a plan amendment into FLU Appendix IV in order to provide regulatory guidance



to redevelopment within the Revitalizing Neighborhoods. The Revitalization Plan will be a means to:

1. Enable the ability to rezone to the maximum density allowed by FLUM category as identified in FLU Policy 1.2.8;
2. To create additional redevelopment incentives for these areas; and
3. To establish development standards for core areas within the County to support redevelopment initiatives that lead to more sustainable development patterns, densities, intensities, and mixes of uses.

**FLU Policy 4.2.2: Revitalization Plans – Process and Standards**

The County shall encourage public participation in this process through the use of tools such as public workshops and meetings, stakeholder interviews, citizen surveys, and other useful methods of public input. These plans will address:

1. The planning and design of public spaces such as streets and parks to create walkable public infrastructure and define rules for private development that specify design, placement, and ground-floor use of buildings to create active streets.
2. Alternative redevelopment opportunities.
3. Transitional land uses.
4. A sustainable mixture of land uses, including sustainable options which address densities, intensities and height.
5. Context-sensitive infrastructure.

**FLU Policy 4.2.3: Maintain Residential Compatibility**

As the County intensifies Revitalizing Neighborhoods, it shall protect the core residential neighborhood from the sensory intrusions of adjacent, more intense uses. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These criteria shall include provisions that:

1. Prevent uses that generate obnoxious sensory intrusion from being developed or expanded in certain areas.
2. Eliminate or reduce the sensory intrusions of proposed development or redevelopment.
3. Intercept or prevent the sensory intrusion from affecting the adjacent use.

**FLU Policy 4.2.4: Charlotte Harbor Community Revitalizing Area**

The County shall designate the Charlotte Harbor Community Redevelopment Area, as depicted on FLUM Series Map #26: Community Redevelopment Areas, as a Revitalizing Neighborhood as defined in FLU Policy 4.1.1: 2050 Framework – Neighborhoods. The Charlotte Harbor Community Revitalizing Neighborhood

shall also be divided into sub-districts as depicted on FLUM Series Map #26A: Charlotte Harbor Community Redevelopment Area.

**FLU Policy 4.2.5: Charlotte Harbor Community Revitalization Plan (CHCRP)**

The County shall support the revitalization of the Charlotte Harbor Community through the implementation of the CHCRP, adopted within FLU Appendix IV. The Objectives and Policies of the CHCRP are lined to distinct sub-districts illustrated within FLUM Series Map #26A: Charlotte Harbor Community Redevelopment Area. The County shall also continue to utilize unique Future Land Use Map categories, found in FLU Appendix I: Land Use Guide, and unique Zoning districts and other land development regulations to implement the Charlotte Harbor CRA Redevelopment Plan and the Charlotte Harbor Community Revitalization Plan.

**FLU Objective 4.3: Maturing Neighborhoods**

To protect the existing growth patterns of Maturing Neighborhoods.

**FLU Policy 4.3.1: Maintain Maturing Neighborhoods**

The County shall protect the residential subdivisions within Maturing Neighborhoods and shall ensure the long-term viability of these residential areas by regulating adjacent and internal future development and redevelopment to maintain compatibility with these areas.

**FLU Policy 4.3.2: Neighborhood/Roadway Compatibility**

In Maturing Neighborhoods, the County shall discourage land uses which generate cut-through traffic on local streets in amounts that would adversely affect traffic flow, traffic control and public safety.

**FLU Objective 4.4: Emerging Neighborhoods**

To create incentives for the conversion of undeveloped, single use, lots as well as other appropriately suited vacant lands to compact, mixed use development.

**FLU Policy 4.4.1: Emerging Area Plans - Emerging Neighborhoods**

The County shall introduce an Emerging Area Planning program under which the County will identify specific communities and their geographic limits within the Emerging Neighborhoods. The Emerging Area Plan shall specifically include policies and standards that enhance livability within the County and preserves the community's natural, cultural, physical and other resources. Emerging Neighborhoods shall be required to use the Emerging Area Planning process as a means to evaluate and determine appropriate timing and provision of urban infrastructure, service levels and funding sources. Each Emerging Area Plan shall be adopted into FLU Appendix V.

**FLU Policy 4.4.2: Emerging Area Plans – Anticipated Results**

The County shall encourage public participation in this process through the use of tools such as public workshops and meetings, stakeholder interviews, citizen surveys, and other useful methods of public input. The Emerging Area Plan should result in a development pattern that is formed around the following planning practices:

1. The form shall be compact mixed use and energy-efficient land use patterns of development that:
  - a. Provides a mix of residential, commercial and recreational uses.
  - b. Includes a transportation network and land use pattern that encourages walking and bicycling.
  - c. Supports transit.
  - d. Reduces the number and length of automobile trips.
2. Higher densities shall be located in appropriate places within each “Neighborhood” in an effort to:
  - a. Reduce the carbon footprint.
  - b. Encourage a blended average density of seven dwelling units per acre within the higher density areas.
  - c. Provide future opportunities for mass transit, clustering density around potential future transit stops.

**FLU Objective 4.5: Managed Neighborhoods**

To effectively reduce the over-supply of vacant lots within the County that are unsuitable for residential development.

**FLU Policy 4.5.1: Limit and Constrain Managed Neighborhoods**

The County shall discourage additional development within Managed Neighborhoods through actions that:

1. Allows a transfer density out of Managed Neighborhoods and into more appropriate urban locations. The County shall explore the feasibility of utilizing a bonus for removing density from contiguous lots in the Managed Neighborhoods. Any such bonus shall be adopted into the policies of this element.
2. Allow no increase in density or intensity beyond that allowed by the current zoning and FLUM designations.

**FLU GOAL 5: PLANNING CONCEPT PLAN IMPLEMENTATION - ECONOMIC DEVELOPMENT**

**Provide an Economic Development Program and Strategy that:**

- **Focuses on business creation and expansion.**

- **Aligns public investments, incentives and Future Land Use element policies to encourage and protect economic development opportunities that leverage existing economic assets.**

**FLU Objective 5.1: 2050 Framework - Economic Development**

To focus economic development activity in the form of Economic Districts, Centers and Corridors to support economic growth and planned residential development.

**FLU Policy 5.1.1: Priority for the Provision of Urban Services**

The County shall establish the priority for the extension of urban services and facilities in Economic areas as follows:

1. *First priority:* Economic Districts.
2. *Second priority:* Economic Centers with completed Special Area Plans, Community Redevelopment Areas (CRAs) and Economic Corridors.
3. *Third priority:* Economic Centers and Corridors supporting Emerging Neighborhoods with completed Special Area Plans.
4. *Fourth priority:* Economic Centers and Corridors supporting Emerging Neighborhoods without completed Special Area Plans.

**FLU Objective 5.2: Economic Districts**

To allow designated areas for employment uses that benefit from existing economic support uses and catalyst sites.

**FLU Policy 5.2.1: Enterprise Charlotte Airport Park**

The County recognizes the Enterprise Charlotte Airport Park (FLUM Series Map #8) as an Economic District and shall sustain and promote this area for economic development by protecting existing infrastructure and by prioritizing new infrastructure improvements in support of this area.

**FLU Policy 5.2.2: Enterprise Charlotte Airport Park - Support Funding**

The County may consider the creation of a special district, unit, or other funding mechanism in accordance with any of the powers or the authority granted under Chapters 125, 163 and 189, Florida Statutes, in order to direct development of the Enterprise Charlotte Airport Park.

**FLU Objective 5.3: Economic Centers and CRAs**

To create distinctive places of unique character and identity, maximize their economic benefit, and create more walkable and transit supportive places.

**FLU Policy 5.3.1: Economic Centers**

Economic Centers are focused locations of regional commercial and employment uses. Although these Centers have yet to fully develop and currently lack the intensity and mix of use that would maximize their economic benefit and create more walkable and transit supportive places, these areas will be encouraged to change and redevelop over time into economically vibrant, walkable, mixed use centers with unique and identifiable character.

**FLU Policy 5.3.2: Community Redevelopment Areas**

The County shall support the concept and ideas expressed in the adopted Community Redevelopment Plans for the following priority redevelopment areas:

1. *Charlotte Harbor Community Redevelopment Area (CHCRA)*: The County shall continue to implement the Charlotte Harbor Community Redevelopment Plan (as modified January 24, 2006) to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 92-951).
2. *Murdock Village Community Redevelopment Area (MVCRA)*: The County shall continue to implement the Murdock Village Community Redevelopment Plan (as modified September 12, 2005) to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 2003-081).
3. *Parkside Community Redevelopment Area*: The County shall continue to implement the Parkside Community Redevelopment Plan to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution No. 2010-082).

**FLU Policy 5.3.3: Murdock Village Partnership**

The County shall consider partnerships with the private sector and other governmental entities to facilitate redevelopment initiatives by leveraging County assets to improve the overall economic and physical condition of the MVCRA.

**FLU Policy 5.3.4: Murdock Village Zoning Regulations**

Until such time as the County adopts a specific mixed use zoning district for the MVCRA:

1. Privately-owned properties, property currently owned by the County, and property owned by the Charlotte County School Board within the MVCRA and properties owned by the Murdock Village Community Redevelopment Agency that are located north of Franklin Avenue, Buena Vista Circle, and Seymour Avenue may develop according to the existing zoning on the property.

2. Property owned by the Murdock Village Community Redevelopment Agency located south of Franklin Avenue, Buena Vista Circle, and Seymour Avenue shall be developed through the use of Planned Development zoning.

**FLU Objective 5.4: Economic Corridors**

To improve the visual and functional quality of streets and highways through actions that encourage mixed use development along corridors with a stronger emphasis on connectivity and more attractive physical design.

**FLU Policy 5.4.1: Strengthen Character**

The County shall continue to promote land use and design opportunities for mixed use development, building placement, parking lot design and access, shared parking options, site and corridor landscaping, and signage requirements to guide future development in a manner consistent with the desired character of the County.

**FLU Policy 5.4.2: Limit Expansion of Strip Commercial**

The County shall deny FLUM amendments to the Commercial category that will allow new strip commercial development. Two exceptions to this policy, which shall be reviewed on a case by case basis are:

3. In the case of infill development where Residential designated property is located between two properties already designated Commercial and such Commercial designated properties are located no more than 660 feet apart;  
or
4. In order to increase the depth of existing Commercial lots.

**FLU Policy 5.4.3: Access and Connectivity**

The County shall amend the Code of Laws and Ordinances to encourage incorporation of additional access and connectivity standards for developments County-wide, if applicable, and with the following provisions:

1. Development should approach the internal street network in a way that prioritizes smaller walkable streets rather than wider streets designed solely for vehicular uses.
2. Encourage joint access for new developments between the allowable driveway openings and parking lots between developments, to increase internal circulation and connectivity.

**FLU Policy 5.4.4: Scenic Highway Corridor Protection**

The County shall encourage the enhancement of designated Scenic Highway Corridors such as S.R. 776, C.R. 771, and C.R. 775 (SPAM Series Map #4) and shall encourage the planting of canopy trees and native vegetation, where feasible.

**FLU Objective 5.5: Support Business Creation and Future Economic Development Opportunities**

To support and foster economic development activities that focus on business creation and expansion, and protection of future economic opportunities.

**FLU Policy 5.5.1: Economic Development Strategy**

The County shall continue to coordinate with and support the Economic Development Office in the pursuit of a coordinated economic development program that includes the following strategic actions:

1. *Target Businesses within Economic Districts.* Identify the types of businesses and locations that will meet the County's economic development goals.
2. *Recruiting.* Recruit target businesses to locate within the County.
3. *Retention.* Assist target businesses with start-up or expansion efforts.
4. *Infrastructure.* Provide the public infrastructure necessary to support economic development and existing businesses along major corridors.
5. *County leadership.* Provide incentives or remove disincentives to attract companies.
6. *Workforce development.* Forge partnerships to identify and develop needed workforce skills and innovations.
7. *Marketing.* Market Charlotte County as a Business Location.

**FLU Policy 5.5.2: Role of Charlotte County in Economic Development**

The County shall develop and implement programs that encourage the growth and success of target businesses, communicate the opportunities available in the County to businesses, and enhance the pro-business image of the County, by:

1. Networking through local, regional, State, and national organizations to identify and serve prospective target businesses.
2. Adopting an annual marketing plan with a variety of methods to promote the business advantages and opportunities available to expanding and relocating target businesses.
3. Leveraging local marketing dollars by partnering with regional and State organizations.



4. Conducting forums when appropriate on issues that have county-wide impact or importance.

**FLU Policy 5.5.3: Expedited Permitting for Targeted Businesses**

The County shall employ the use of an expedited review and permitting procedure or other internal process that may assist in site review, permitting, concurrency, and inspection of targeted businesses and the expansion or relocation of existing targeted businesses.

**FLU Objective 5.6: Working Waterfronts**

To preserve recreational and commercial working waterfronts and public access to water.

**FLU Policy 5.6.1: Expedited Permitting for Working Waterfronts**

The County shall give preference to the rehabilitation or expansion of existing water-dependent uses by expediting the review and processing of permits.

**FLU Policy 5.6.2: Tax Deferrals Ordinance for Water-dependent Uses**

The County shall consider the adoption of an ordinance to allow for ad valorem tax deferrals for existing recreational and commercial water-dependent uses and for those properties providing extraordinary public access to the waterfront.

**FLU Policy 5.6.3: Encourage Public Marina Uses**

The County shall encourage the preservation of existing marinas or the creation of new marinas when in appropriate locations and when developed with minimal harm to the natural resources to which they are providing access. A mixed use development that includes a public marina component may be an allowed use within all residential, commercial, and industrial FLUM categories within the Urban Service Area if found consistent with this Plan. The development shall be built in accordance with the Compact Growth Mixed Use FLUM category.

**FLU Policy 5.6.4: Boat Facility Siting Plan**

The County is developing a county-wide boat facility siting plan. Once completed, this plan shall be incorporated into the Coastal Planning element as CPE Appendix I. Policies within that element and the FLUE shall be updated accordingly, as well as the Code of Laws and Ordinances, to provide effective guidance for siting and developing water-dependent uses.

**FLU Objective 5.7: General Standards for Non-Residential Development**

To ensure that future commercial, office and industrial uses are consistent and compatible with the character of the area in which the uses are located.

**FLU Policy 5.7.1: Limiting Industrial Uses Adjacent to Residential**

The County shall require industrial development infringing upon existing residential land uses or upon lands designated as a "Residential" land use category on the FLUM to provide a development plan that outlines methods that will be used to limit any noise, smell, and sight impacts of the development.

**FLU Policy 5.7.2: Industrial Use Buffers**

The County shall require industrial uses to create a buffer that protects adjacent incompatible land uses by means such as natural, vegetative barriers. These land uses include, but are not limited to, lands designated as Preservation, Resource Conservation and all lands acquired by county, State, or Federal agencies for preservation and conservation purposes.

**FLU Policy 5.7.3: Commercial Access**

The County shall require that commercial land uses that request to have access to local roads, but which have frontage on and access to an arterial or collector roadway, provide an analysis that provides the reasons why it is necessary. Joint access with adjacent commercial sites and safety issues must be included as part of the analysis. The commercial access may be approved by the County as part of the Site Plan Review or Building Permit process should the need for the access be proven to improve the health, safety, and welfare of the public. Should the commercial land use be located within an area that has an adopted Revitalization Plan, Emerging Area Plan or Special Area Plan that provides standards for local road access, a statement referring to these standards is adequate support material.

**FLU Policy 5.7.4: Commercial Landscaping and Buffering**

The County shall enforce its landscaping and buffer regulations on all new commercial developments to protect the aesthetic qualities of commercial lands; to provide shady, well-landscaped parking lots in all commercial areas; and to provide buffering in order to protect adjacent, less intensive land uses from adverse impacts such as noise, lighting, and traffic. Alternate urban design standards shall be required for areas that are developed under a Revitalization Plan, an Emerging Area Plan or a Special Area Plan.

**FLU GOAL 6: COMMUNITY CHARACTER**

**Promote and enhance community character, identity and livability through Neighborhood and Area-wide Planning Programs that establish special planning policies and standards to guide and direct the future of the unique communities and neighborhoods of Charlotte County.**

**FLU Objective 6.1: Reinforce Community Character**

To create functional, sustainable communities that reinforce and support the unique character of each area.

**FLU Policy 6.1.1: Neighborhood and Area-wide Planning Programs**

The County shall recognize, support and reinforce the unique community character of various neighborhoods, economic locations, and other large mixed use areas within the County through a formal planning process that provides a greater level of planning review, analysis, and recommendations for these areas. The process shall be unique to the scale and type of area that is under review and may include the following types of processes:

1. *Neighborhood Plans.* A community-based planning process that is designed to address the community character issues of a specific neighborhood and is focused on the establishment of community goals, the identification of neighborhood issues of concern, and development of specific strategies to resolve the issues and achieve the goals.
2. *Revitalization Plans.* A community- and stakeholder-based process that is designed to promote the economic and urban revitalization of specifically identified areas. These plans will enable property owners to rezone to the maximum density allowed by a FLUM category as identified in FLU Policy 1.2.7, create additional redevelopment incentives, and establish development standards to support redevelopment initiatives that lead to more sustainable development patterns, densities and intensities and mixes of uses.
3. *Emerging Area Plans:* A community- and stakeholder-based process that is designed to establish the specific standards and guidelines for Emerging Areas in order to enable additional development and entitlements within these areas. The Emerging Area Plan shall specifically identify the timing and financial mechanism for extending urban infrastructure to serve these areas, the specific development standards to ensure that the area is developed using sustainable development patterns following the planning principles of this Plan, and a phasing plan for the timing of future development. For the purposes of this policy, the Burnt Store Area Plan shall serve as an Emerging Area Plan with the exception that the Tropical Gulf Acres subdivision within the Area Boundary shall require additional planning if and when these areas seek to increase density or intensity through a plan amendment.
4. *Special Area Plans:* A community- and stakeholder-based process that is designed to help create incentives in support of Economic Center, District, and Corridor development initiatives.

**FLU Policy 6.1.2: Neighborhood Plans**

The County shall support a community-based Neighborhood Planning process that responds to individual neighborhood requests to create a Neighborhood Plan through technical support from County staff. When requested, the County shall guide the neighborhood in establishing community goals, identifying issues of concern and developing strategies to resolve the issues and achieve the goals. A Neighborhood Plan shall not promote site-specific text amendments to the Code of Laws and Ordinances. It may include an evaluation of some or all of the following neighborhood characteristics based upon the neighborhood issues of concern:

1. Crime and Public Safety.
2. Housing.
3. Code Enforcement.
4. Neighborhood Character and Identity.
5. Parks and Recreation.
6. Infrastructure.
7. Redevelopment.

**FLU Policy 6.1.3: Revitalization and Emerging Area Plans**

The County shall require the development of a Revitalization Plan for Revitalizing Neighborhoods and an Emerging Area Plan for Emerging Neighborhoods, as described in FLUM Policies 4.2.1 and 4.4.1. These plans may include proposed revisions to the Future Land Use Map as well as accompanying objective(s) and policies which may identify special conditions, options, uses, heights, densities, intensities, restrictions, or requirements for activities within the area.

**FLU Policy 6.1.4: Special Area Plans**

The County shall support economic development opportunities within Economic Centers, Economic Districts, and Economic Corridors through the creation of Special Area Plans which shall provide a special land use plan and economic development incentives for these specific areas. A Special Area Plan may include proposed revisions to the FLUM as well as accompanying objective(s) and policies which may identify special conditions, options, uses, heights, densities, intensities, restrictions, or requirements for activities within the area.

**FLU Policy 6.1.5: Neighborhood and Area-wide Planning Programs - Method of Introduction**

Any Neighborhood Plan, Revitalization Plan, Emerging Area Plan, or Special Area Plan may be initiated by either the Community Development Department, the County Commission, or through a citizen-based planning initiative.

**FLU Policy 6.1.6: Active Development of Regional Impacts (DRIs)**

DRIs (FLUM Series Map #25) shall be developed in accordance with an approved development order. At such time as the DRI is deemed essentially built-out or abandoned, consistent with the requirements of Section 380.06, F.S., the new development shall be subject to and in accordance with the policies of this Plan. The mix of land uses and allowed densities and intensities within an approved DRI MDO, or DO if no MDO is approved, shall be adopted into FLU Appendix VI: Developments of Regional Impact.

**FLU Objective 6.2: Burnt Store Area Overlay District (FLUM Series Map #8)**

To implement the vision for the Burnt Store Area Plan (FLU Data and Analysis Appendix E) to create a fully serviced, integrated community.

**FLU Policy 6.2.1: Burnt Store Area Overlay District Intent and Vision**

The intent of the Burnt Store Area Overlay District is to provide guidance for development in the Burnt Store area. The vision for the Burnt Store Area is one where government services (such as library, park, fire/EMS, and school facilities), recreational opportunities (active and passive) and commercial needs are predominantly provided within the Area to create a fully serviced, integrated community.

**FLU Policy 6.2.2: Burnt Store Land Use Categories**

The County implements the Burnt Store Area Plan through the land use categories identified in FLU Appendix I, with the development timing standards identified in FLU Policy 6.2.2.

**FLU Policy 6.2.3: Open Space Requirement for Residential**

The County requires the creation and maintenance of common areas of open space and on-site recreational areas.

**FLU Policy 6.2.4: Infrastructure Funding**

The County shall ensure that adequate funding sources are available for the provision of infrastructure. Improvements will be funded through a variety of mechanisms that include Community Development Districts (CDDs), Municipal Services Taxing Units (MSTUs), rebate agreements, grants and impact fees. The County shall evaluate funding options, including the use of bonds and other revenues to expedite the widening of Burnt Store Road from the current time to 2015.

**FLU Policy 6.2.5: Access Management Plan**

The County shall assist in maintaining the level of service along Burnt Store Road. An access management plan shall be adopted by Charlotte County prior to 2017,

or construction of roadway improvements and criteria shall be established for minimum separation of access points in the Code of Laws and Ordinances.

**FLU Policy 6.2.6: Internal Water Management Systems**

The County shall encourage, through incentives that may include impact fee credits, the provision of water storage capacity for storm water run-off from Burnt Store Road in the internal water management systems of new developments fronting Burnt Store Road. The intent is to assist the County in making the necessary improvements to Burnt Store Road in an economical and efficient manner by minimizing the amount of right-of-way necessary for widening Burnt Store Road. By 2013, the County will consult with State agencies and identify wetland mitigation projects that will improve stormwater treatment within the Burnt Store Area and which may be completed by applicants seeking environmental resource permits for development within the Burnt Store Area.

**FLU Policy 6.2.7: Watershed Flood Study**

The County shall utilize the Burnt Store Watershed Flood Study (FLU Data and Analysis Appendix F) to quantify water quality discharges, conveyance system capacity and adequacy, recommend improvements over and above the item specified in FLU Policy 6.2.7, and specify the LOS after improvements.

**FLU Policy 6.2.8: Enhancement of Water Quality**

Based on the recommendations given in the Burnt Store Watershed Study, the County shall work with developers and property owners to create rain gardens, littoral zones or other similar mechanisms along any waterways to preserve, enhance and protect the water quality and quantity.

**FLU Policy 6.2.9: Low Impact Design Practices**

In partnership with SWFWMD, the County shall encourage developers and property owners to provide a variety of stormwater and low impact development practices, so that each practice will provide incremental benefits and all combined practices will:

1. Preserve native landscaping and natural water flows;
2. Minimize and control runoff generation at the source;
3. Promote infiltration;
4. Promote stormwater reuse; and
5. Minimize site disturbance.

**FLU Policy 6.2.10: Natural Resource Connections**

The County shall coordinate with developers and property owners to create the following natural resource connections, as shown on the Burnt Store Area map (SPAM Series Map #5) which is based on input and recommendations from the Florida Fish and Wildlife Commission and the National Estuaries Program.

1. *Blueways.* To assist in alleviating stormwater drainage concerns, the County shall require a restored or created flowway. The proposed flowway could connect surface water management lakes and on-site wetlands. Littoral shelves shall be planted along the proposed flowway to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flowway is proposed, so long as the hydrological integrity of the flowway is maintained through drainage crossings.
2. *Greenway.* The County shall require developers and property owners to preserve property along the greenway to link up with the proposed "Wildlife Utilization Areas" in the Tern Bay DRI. The intent is to provide for a wildlife corridor with a minimum width of 75 feet or greater, depending on existing vegetation and wildlife habitat. The greenway should include the preservation or enhancement of natural habitats. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. Low impacting recreational uses may be incorporated into the greenway; however, the greenway is primarily to be managed for wildlife usage. The County shall incorporate a wildlife crossing into the widening of Burnt Store Road, to be constructed of a size sufficient to accommodate small to medium size animals for at least one of the greenways.
3. *Wildlife Corridor:* The County shall require the preservation and enhancement of land within and along the wildlife corridor to provide sufficient coverage for utilization of wildlife. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. The corridor should provide sufficient cover to encourage use by wildlife through compliance with the following provisions:
  - a. The corridor shall be at a minimum 200 feet wide. A smaller wildlife corridor may be utilized if a wildlife corridor study is conducted and an alternative corridor is provided to provide the same or enhanced level of protection.
  - b. A 25 foot undeveloped buffer will be established between the corridor and proposed development activities. The buffer will consist of native vegetation where native habitats currently exist. In areas where native vegetation does not currently exist, native vegetation plantings will be conducted within the 25 foot buffer.
  - c. Lighting within 50 feet of the corridor will be shielded and directed away from the corridor.
  - d. A conservation easement (or similar binding document) will be required at time of Final Plan Approval to ensure the



protection in perpetuity of the 25 foot buffer and corridor. The conservation easement will limit human access to the corridor by prohibiting uses and structures (gazebos, docks, etc.) within the 25 foot buffer, corridor, and adjacent canal. Nature trails are acceptable uses within the 25 foot buffer and corridor.

The County may coordinate with appropriate environmental agencies and will consider using funding to acquire properties along the wildlife corridor. The County shall incorporate a wildlife crossing into the widening of Burnt Store Road, to be constructed of a size sufficient to accommodate small to medium size animals.

**FLU Policy 6.2.11: Hurricane Preparedness**

The County shall require all new residential structures to be elevated to, at a minimum, 8 feet above sea level in order to minimize hurricane damage.

**FLU Policy 6.2.12: Archeological Resource Protection**

The County shall require the preservation of any archeological resources.

**FLU Policy 6.2.13: Multi-Modal Transportation**

The County shall work with developers within the Burnt Store Area to provide pedestrian and bicycle facilities on all new and improved public roadways and, where possible, retrofit existing roadways. Developers shall be required to create an interconnected community within the Burnt Store Area boundary through the use of roadway interconnections and pedestrian and bicycle pathways that create internal connections within each development that link to existing and future pedestrian and bicycle corridors outside of their development.

**FLU Policy 6.2.14: Recreation**

The County shall work with property owners within the Burnt Store Area to acquire the approximately 90 acres of land needed for active recreational uses. Methods of acquisition may include the granting of impact fee credits or property acquisition.

**FLU Objective 6.3: U.S. 17 Corridor Planning Area**

To create parameters for the U.S. 17 Corridor Planning Area (FLUM Series Map #11) that guide future development and that accomplish the following:

- Job creation.
- Redevelopment and beautification of existing neighborhoods.
- Preservation, access to and enhancement of the natural environment.
- Application of low impact development practices.
- Development of sustainable communities.

- Provision of adequate infrastructure to meet current and future needs.

**FLU Policy 6.3.1: Interconnection**

The County shall create and adopt regulations to set parameters under which new developments may be interconnected, such as with interconnecting parking lots and an interconnected network of routes for pedestrians and cyclists providing links to schools, parks, adjacent neighborhoods and developments as well as passive recreational trails along flowway areas.

**FLU Policy 6.3.2: Provision for Infrastructure and Services**

The County shall review the possibility of creating a frontage road or a reverse frontage road system along the corridor, shall create and adopt regulations to promote healthy neighborhoods, and shall explore alternative transportation possibilities such as rail linkages to create railroad passenger service or auto train stations.

**FLU Policy 6.3.3: Public Facilities Requirement**

All properties greater than 100 acres in area are required to work with public service providers to locate public facilities on their property. The expectation of land dedication shall not exceed ten percent of the total land area for the project and shall be creditable toward impact fees, or other forms of County compensation.

**FLU Policy 6.3.4: Multi-use Public Spaces**

The County shall require developers to coordinate with all interested government entities, including Charlotte County school officials, to identify future locations for multi-use public spaces that can combine school, recreational, and conservation uses.

**FLU Policy 6.3.5: Hurricane Shelters**

Schools and other community facilities located along the U.S. 17 corridor, but outside the Coastal High Hazard Area, shall be designed to serve as hurricane shelters to meet the identified evacuation needs as established by Southwest Florida Regional Planning Council.

**FLU Policy 6.3.6: Redevelopment Areas**

The County recognizes that the Cleveland and Solana neighborhoods would benefit from the preservation of the historical fabric of the areas and enhancement of their sense of identity and their sense of place. By 2012, the County shall work with these neighborhoods to establish advisory boards to help advise the County on Revitalization Plans for these areas.

**FLU Policy 6.3.7: Redevelopment Areas Funding Opportunities**

In order to fund redevelopment opportunities, the County shall consider the creation of Community Redevelopment Areas (CRAs), or utilize other applicable programs, for Solana and Cleveland in order to finance public improvements that enhance property values and quality of life, such as the extension of water and sewer mains.

**FLU Policy 6.3.8: Redevelopment Area Streetscape Improvement**

To lend support to the existing businesses in Solana and Cleveland, the County shall work with private and public entities to provide U.S. 17 streetscape improvements, including landscaping, decorative lighting, and way-finding signs, consistent with the streetscape improvements within the City of Punta Gorda.

**FLU Policy 6.3.9: Encouraged Uses**

In order to revitalize and promote the U.S. 17 commercial and business areas, including Solana and Cleveland, and to reduce trip generation, the County shall encourage mixed use developments, conversion of mobile homes to conventionally-built homes, live/work spaces, bed and breakfasts, and multi-family developments along the U.S. 17 Corridor.

**FLU Policy 6.3.10: Landscaping and Buffer Requirement**

The County shall work with developers and property owners to provide street tree planting and landscape buffers along the U.S. 17 highway corridor in order to enhance the safe and pleasant experience of pedestrians and improve the visual experience of travelers. This shall include the provision of enhanced landscape elements at community entryway points, clustered tree requirements to encourage view corridors into commercial areas, and streetscape improvements.

**FLU Policy 6.3.11: Established Flowways**

The County shall encourage the protection of historic flowways (SPAM Series Map #6) by designating them as environmentally sensitive and allowing density to be severed from these areas. Passive recreational uses may be incorporated into upland areas adjacent to restored flowways. Development along a flowway shall be encouraged to provide for public use by providing pedestrian paths and connections to adjacent properties. Public uses shall not include any activities that are detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation and preservation. Proposed crossings of flowways shall include appropriately sized culverts or bridges to maintain surface water flows and wildlife underpasses where appropriate.

**FLU Policy 6.3.12: Greenways Plan**

The County shall implement a Greenways Plan (SPAM Series Map #6) for the U.S. 17 Corridor area that will connect flowways and wildlife corridors. The flowways and wildlife corridors may be a minimum of 300 feet wide for 20 percent of their length but shall be a minimum of 500 feet wide for the remaining 80 percent of their length. A smaller flowway and wildlife corridor may be utilized if a flowway and wildlife corridor study is conducted and an alternative corridor is provided to provide the same or enhanced level of protection. The County shall also work with the property owners and various State and Federal agencies to explore funding source in order to construct wildlife crossings underneath U.S. 17 and C.R. 74 (Bermont Road).

**FLU Policy 6.3.13: Water Access**

The County shall work toward the creation of additional public and private boat access points including kayaks and canoes along the Peace River, Shell Creek and Prairie Creek, consistent with an approved boat facility siting study and Manatee Protection Plan.

**FLU Policy 6.3.14: Eco-tourism Center**

The County shall consider expanding permitted uses to encourage an eco-tourism center for Charlotte County by allowing bed and breakfast establishments, small cafes, nature centers and other eco-tourism facilities, such as kayak and bicycle rental and repair shops that are sensitive to the environment yet provide mobility to visitors and residents.

**FLU Objective 6.4: Babcock Ranch**

To establish design standards to implement the Babcock Ranch Overlay District (BROD) (FLUM Series Map #8) and the Babcock Mixed Use (BMU) FLUM category, that is intended to create a well-planned new community in rural, east Charlotte County using Best Management Practices:

**FLU Policy 6.4.1: DRI Master Plan**

The official Babcock Ranch Community Master Land Plan (SPAM Series Map #7) for the development has been adopted as Map H in the Babcock Charlotte Master Development Order (BCMDO). The BROD Master Land Plan is subject to adjustment through the Development of Regional Impact (DRI), State and Federal permitting processes.

**FLU Policy 6.4.2: Walkable Community**

As established in the Land Development Regulations (LDRs) the BROD will include appropriate mixed use and urban design principles in generating vibrant walkable communities. Pedestrian friendly features such as, but not limited to: the

appropriate mix of densities and uses, compact street intersections, greenway trail system, street furniture, landscaping of streets with native canopy trees and neighborhoods that are properly scaled for people, are required within the BROD.

**FLU Policy 6.4.3: DRI Abandonment Strategy**

If the DRI is abandoned prior to development, then Charlotte County shall process an application to amend the Comprehensive Plan, pursuant to Section 163.3184, F.S., and the Charlotte County Code, to reinstate the Future Land Use categories and zoning districts that were in effect immediately prior to the adoption of the BROD.

**FLU Policy 6.4.4: Scenic Viewsheds**

The BROD requires preservation of scenic viewsheds that provide visual cues (such as open space and other prominent natural features) to introduce or signal the transition from one zone to the other. This includes the appropriate location, concealment or control of the location of utilities and necessary infrastructure elements within the BROD.

**FLU Policy 6.4.5: Public Spaces**

The BROD requires public spaces, whether built or natural, active or passive, to provide a venue for public interaction and vibrant exchange among neighbors; these spaces should be centrally located to neighborhoods and the Town Center.

**FLU Policy 6.4.6: Prescribed Burns**

Recognizing the need for proper wildlife and land management practices on adjacent natural areas, the BROD shall not prohibit or otherwise limit the land management activities of the State and Lee County with regard to prescribed burning on public lands. It shall be made clear to purchasers of property within the BROD that prescribed burns are a necessary and integral part of land management activities on public lands, through the recordation of notice to persons accepting a conveyance of real property in the BROD of such management activities.

**FLU Policy 6.4.7: Open Space**

Open Space shall consist of the Babcock Ranch Community Primary Greenway Plan (SPAM Series Map #8), non-residential vegetated green space, lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater with general public access, hiking trails, greenways, bike paths, upland and wetland areas. The design of open areas shall, where applicable, be integrated with adjacent Primary Greenways so as to enhance habitat for small mammals and wading birds. The design of development areas and plantings shall, where applicable, enhance habitat for indigenous animal species. Open Space shall

include a minimum of 35 percent of the gross acreage of the BROD. Active uses such as ball fields, golf courses and other related recreation uses can be counted toward Open Space but only 50 percent of the area can be utilized for calculation purposes. Open Space will serve the additional goal of surrounding and defining Villages, Hamlets and the Town Center.

**FLU Policy 6.4.8: Primary Greenways Plan**

Four categories of the Primary Greenways Plan are: Active Greenway, Passive Greenway, Observation Greenway and Corridor Greenway. The Primary Greenways Plan shall be updated with each incremental DRI as required by the Babcock Ranch Community Master Development of Regional Impact Master DRI Development Order.

**FLU Policy 6.4.9: Primary Greenways**

The areas labeled as Greenways, Agriculture, Parks, and Recreation on the Master Plan shall be considered Primary Greenways. A management plan shall be prepared as part of the DRI process for the Primary Greenways. Allowable uses in all Primary Greenways include transportation and utility corridors, including major roadways, minor roadways, major multi-use trails and secondary multi-use trails that shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses. Existing agricultural uses shall be allowed in all Primary Greenways. Compatible land management activities may be conducted in all of these Greenways, including but not limited to, ecological burning, ecosystem restoration and hydrologic restoration. To the extent practicable, historic flowways or conveyances shall be restored within Primary Greenways where flowways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. In determining whether a proposed restoration is practicable, consideration shall be given to legal permissibility, cost of the restoration compared to the environmental benefit, and the physical impacts on persons and property both within and outside the BROD.

**FLU Policy 6.4.10: Primary Greenway as Mitigation**

Primary Greenways within the BROD may serve as mitigation for listed species and wetland impacts associated with the BROD. Specific Listed Species Management Plans may be accommodated in some of the Primary Greenways for the protection and long-term viability of State and/or federally listed species. The implementation of such plans may require additional land management activities to be conducted. Primary Greenways may also accommodate wetland mitigation in accordance with wetland regulations and approval from Water Management

Districts and U.S. Army Corps of Engineers. Wetland mitigation will be determined using the Uniform Mitigation Assessment Method (UMAM).

**FLU Policy 6.4.11: Corridor Greenway**

The primary goal of the Corridor Greenway is conservation, with limited public use. The Corridor Greenway creates a critical connection designed to encourage wildlife movement between the regionally-significant conservation lands of Telegraph Swamp and the remainder of Babcock Ranch to the east and the Curry Lake Area and Fred C. Babcock - Cecil M. Webb Wildlife Management Area to the west. The Corridor Greenway will also connect equestrian and hiking trail systems to the north and south of the Corridor Greenway. Such recreational uses to be accommodated include equestrian use, hiking trails, and limited boardwalks and observation decks, similar to the uses contemplated for the lands being acquired by the State. Other allowable uses may include existing agriculture, silviculture as a land management tool, one coordinated transportation and utility crossing running north to south, and habitat restoration. The transportation corridor shall include appropriate fencing to direct wildlife using the corridor transportation facility in accordance with the BCMDO. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.12: Observation Greenways**

Observation Greenways consist primarily of native vegetative communities and are largely un-impacted by agricultural activities. The primary goal of the Observation Greenway is conservation and limited public use. Observation Greenways shall have the fewest uses and impacts, similar to the Corridor Greenway. Recreational uses within Observation Greenways include equestrian and hiking trails, limited boardwalks and observation decks, and unpaved pathways linking the developed portion of the BROD area to the remaining portion of the Babcock Ranch to the east. Other allowable uses may include silviculture as a land management tool and habitat restoration. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.13: Passive Greenways**

Passive Greenways are located in close proximity to certain Villages and Hamlets, are farther removed from the Town Center area, and provide passive recreational opportunities, with the potential for ADA accessibility. Uses within Passive Greenways shall have fewer impacts than uses within Active Greenways. Such recreational uses to be accommodated include neighborhood parks, picnic areas and playgrounds, primitive camping, equestrian use, hiking trails, boardwalks and observation decks, limited paved trails and similar uses. Other allowable uses may include silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall



be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.14: Active Greenways**

Active Greenways are located in close proximity to the Town Center and Villages and provide passive and active recreational opportunities, with the potential for ADA accessibility. Such recreational activities may include neighborhood parks, picnic areas and playgrounds, camping, equestrian use with support facilities, hiking trails, boardwalks and observation decks, paved trails, active parks with ball fields (including restrooms and concession facilities), golf courses and similar uses. Other allowable uses may include nurseries, agriculture, silviculture as a land management tool, transportation and utility crossings, renewable energy systems and facilities, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**FLU Policy 6.4.15: Wetland Management**

Impacts to naturally occurring wetlands within the BROD area shall be avoided first, and then minimized, to the greatest extent possible. These wetlands will be protected based upon the wetland functionality assessment outlined in Florida's Uniform Mitigation Assessment Method (UMAM), State permitting requirements of the South Florida Water Management District and Federal permitting requirements. Uses within protected wetlands shall be restricted to those uses which are compatible, including but not limited to, passive recreation, environmental research and education, boating, fishing, limited boardwalk and observation platforms, all in accordance with State and Federal permitting requirements. The use of existing wetland areas for water management (attenuation and storage, but not treatment) shall be allowed to the extent permitted by law.

Wetland areas within the BROD currently being used as water management areas may be relocated if:

1. All approvals are obtained from appropriate Local, State and Federal agencies,
2. The affected wetland functions are replaced, and
3. Appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area sold to the State and Lee County.

Limited crossings of such wetlands may be allowed when:

1. It is the only feasible route to serve existing or designated future urban development areas,
2. The crossing is bridged or box-culverted to the greatest degree possible, maintaining pre-development volume, direction, distribution, and surface water hydroperiod, or
3. Appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area sold to the State and Lee County.

**FLU Policy 6.4.16: Master Drainage Plan**

The County shall require a Babcock Ranch Community Master Drainage Plan (SPAM Series Map #9) indicating existing, to be restored, or created primary flowways within the BROD. The primary flowways will connect surface water management lakes and on-site wetlands, but only if wetland seasonal hydroperiods will improve or remain consistent with pre-development conditions. Littoral shelves should be planted along the primary flowways to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed across and through primary flowways, as long as the hydrological integrity of the flowways is maintained through the crossings. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development levels.

**FLU Policy 6.4.17: Surface Water Management System**

A surface water management system that incorporates the functions of the natural on-site system, including seasonal hydroperiods, surficial aquifer/water table elevations, continuity of conveyance systems and water quality shall be required, in accordance with State and Federal permitting requirements. The surface water management system shall be designed with Best Management Practices (BMPs) as necessary to meet the State water quality standards. The surface water management system will provide treatment in a created system prior to discharge to the natural system. Man made ponds, lakes and/or drainage features shall be designed (size, depth, etc.) and located (setbacks from wetlands, etc.) so as to maintain water levels, quality and hydroperiods for native aquatic vegetation and wildlife, to the extent possible. Storm water treatment ponds shall be shaped to reflect natural lakes and have planted littoral zones. Historic flows may also be restored within developing areas through the surface water management system design and permitting process. The conveyances shown in the western portion of the BROD may be modified to provide an equivalent conveyance. Water management treatment shall be done outside the historic conveyances. Further, the surface water management system for the BROD will be designed, permitted and constructed to assist in the Minimum Flow Levels (MFL) recovery program of the South Florida Water Management District, and the system will not lessen any contributions of water to the Caloosahatchee River during low flow periods. The

approved Group III Excavation Permit, No. 07-EX-16, may be extended and modifications allowed, such as changes to the lake configurations, without the need to rezone the land to Excavation and Mining (EM) or amend the FLUM to Mineral Resource Extraction (MRE). This exemption shall not permit expansion of the area subject to the permit.

**FLU Policy 6.4.18: Transportation System**

A cohesive transportation system that includes supportive land use and development is to be applied within the BROD. This shall include the coordination of land uses and transportation networks such as bicycle, pedestrian, road, personal transportation (such as Electric Urban Vehicles) including other low-emission forms of transportation, Segways and transit facilities. Connectivity between these multimodal approaches is necessary to an effective transportation system.

**FLU Policy 6.4.19: Expansion of S.R. 31**

Working with the owners/developers of the BROD, Charlotte County shall support the conveyance of a 300 foot right-of-way along S.R. 31 from the Lee/Charlotte County Line to C.R. 74 for the expansion of S.R. 31. Two wildlife crossings shall be provided along and under S.R. 31 on lands being acquired by the State; one in the vicinity of Curry Lake and one north of the northern portion of the BROD. The exact location and design of the crossings shall be determined in consultation with FDOT, FDEP and FWCC.

**FLU Policy 6.4.20: Internal Capture Rate**

Using mixed use planning and a compact urban form, including commercial, office, industrial and institutional uses, contemplated herein, the internal capture rate ("ICR") for vehicle trips shall be maximized, with a targeted internal capture rate of between 50% - 70%. However, analysis of transportation impacts will initially assume a 22% ICR for the BCMDO and the first Application for Incremental Development Approval (AIDA), subject to adjustment upward or downward in each subsequent increment of the DRI process, and will therefore provide an evaluation of which off-site transportation improvements are required under this scenario. Transportation models shall be generated using a unified model which includes traffic in Lee and Charlotte Counties. As development within the BROD occurs, the ICR will be monitored, utilizing and reconciling Charlotte County and Lee County data, and the required off-site transportation improvements will be adjusted so that the required improvements are commensurate with any actual measured ICR, or as may be adjusted.

**FLU Policy 6.4.21: Housing Diversity**

Provide a diversity of housing types to enable citizens from a wide range of economic levels and age groups within the BROD. This would include the provision of affordable/workforce housing.

**FLU Policy 6.4.22: Financing Tools**

The County shall encourage a variety of financing tools and strategies to fund capital improvement programs within the BROD, such as Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit Districts and other viable financing strategies to fund infrastructure improvements and achieve fiscal neutrality.

**FLU Policy 6.4.23: Water Conservation Plan**

The BROD will develop and implement a water conservation plan. Town and Country Utility Company or its designee shall submit the water conservation plan as part of the individual water use permit application for consumptive use. The following water conservation elements will be incorporated:

1. Limitation of landscape irrigation times to prevent evaporative losses;
2. Use of site tolerant plants and efficient watering system known as xeriscaping;
3. Installation of ultra-low volume plumbing fixtures in all new homes and businesses;
4. Use of Florida Friendly landscaping;
5. Leak detection programs in case water losses exceed 10 percent;
6. Operation of rain sensor device or automatic switch to override irrigation sprinkler system when adequate rainfall has occurred;
7. Public education programs; and
8. Use of reclaimed water, when available.

**FLU Policy 6.4.24: Wellfield Management Plans**

Developer or Town and Country shall prepare and implement wellfield management plans for potable water, agricultural uses, and disposal and storage wells, existing or proposed within the BROD. As part of the agricultural wellfield management plan, Developer will identify wells within the BROD that need to be abandoned and properly plugged to avoid potential cross contamination, and will do so at Developer's expense. All potable water wells (defined in Rule 62-521.200(6)711, F.A.C.) and all other water wells, not defined as potable, shall be protected.

**FLU Policy 6.4.25: Water, Wastewater and Reclaimed Water**

Town and Country Utility Company or its designee shall plan, design, permit, and construct a water, wastewater, and reclaimed water utility infrastructure (including water supply, treatment, storage, distribution, collection, and disposal capacity) to support the potable water, sanitary sewer, and irrigation needs of the BROD at full buildout and in accordance with the level of service established by the County's comprehensive plan, as amended from time to time. This infrastructure shall be built to County standards, and as-built drawings shall be provided to County. County may conduct periodic inspections (the nature and frequency of which are to be determined by County) both during and after construction to ensure that the infrastructure is being properly constructed, operated, and maintained. It is recognized by the parties that said infrastructure may be constructed in phases commensurate with the creation of demand by the Development.

**FLU Policy 6.4.26: Impact Fee Credits**

Public infrastructure extended and funded by the developer, or its assigns, shall be entitled to impact fee credits.

**FLU Policy 6.4.27: Future Impact Fees**

The County may consider the increase of school, park and other appropriate impact fees and the establishment of districts that might fund public facilities that support the BROD, if necessary.

**FLU Policy 6.4.28: Expenditure of Transportation Revenues**

Transportation revenues generated within the BROD, including, but not limited to, gas taxes, and special assessments, shall be spent according to the existing County policies, a development agreement or interlocal agreement.